

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

FRANK FISCHER, an individual,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:05-cv-00763-MEF
	)	
SYSCO FOOD SERVICES OF	)	
CENTRAL ALABAMA, INC.,	)	
et al.,	)	
	)	
Defendants.	)	

**MOTION TO STAY**

Comes now the Plaintiff, Frank Fischer, and moves this court for an order staying this matter until the Plaintiff's motion to remand is ruled upon.

In support of this motion, the Plaintiff states as follows:

1. The Plaintiff has filed a motion to remand. In said motion, questions have been raised as to the propriety of the removal of certain portions of this case and whether the court has jurisdiction over those portions of the case in question. This Plaintiff respectfully submits that in the interest of judicial economy, all parties would be served by a stay of this matter until all questions regarding this court's jurisdiction over this matter can be resolved.

WHEREFORE, the Plaintiff respectfully requests a stay of this matter pending a ruling on the Plaintiff's motion to remand.

Respectfully submitted,

s/Davis L. Middlemas

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 24, 2006, I provided a copy of the foregoing to counsel for Defendant by way of electronic filing and via facsimile and U.S. Mail to the following address and fax number:

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